

Monte L. Simpson, K2MLS
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Bremerton, WA 98312-2711
January 31, 2003

Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Sir/Madam:

This correspondence is in reference to RM-10641 filed by Mr. Dale E. Reich, 141 North Center Street, Seville, Ohio 44273. The petitioner is asking that a CFR be codified requiring the collection of purchaser data and the tagging of equipment purchased under Parts 5, 15, 18, 74, 80, 90, 95 and 97.

I respectfully would like to file an opposition to the mandates requested by Mr. Reich. The petitioner has created an administrative burden for the businesses selling communications equipment without articulating the rationale for such action. Businesses will have to purchase/create forms and provide storage space for them. The cost associated with this request will be passed on to the consumer. Further, for the most part it's redundant. Businesses regularly inventory their stock and keep some kind of record of equipment sales. Law enforcement agencies can either obtain this information by voluntary disclosure or by subpoena. The comment "Any retail Vendor may request the local police to look into if he has a suspicious overview that the use of the radios may not be in compliance with Federal or local laws." At this point civil authorities lack concurrent jurisdiction to enforce FCC rules. Most civil law enforcement agencies lack staff to determine if a piece of electronics is being used properly or improperly. Federal law preempts state/local law in the area of communications, except the recent Citizen Band ruling by the FCC. The current financial condition of the criminal justice system more-than-likely couldn't support this proposal. Tagging of radio transmitters in most cases is a requirement already. If licensed users are not following existing rules making another one isn't going to help.

Very Respectfully Submitted,

s/Monte Simpson

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